



**STATE OF HAWAII  
2011 REAPPORTIONMENT COMMISSION**

**NOTICE OF REAPPORTIONMENT COMMISSION MEETING**

Date: Monday, September 26, 2011  
Time: 2:00 PM  
Place: State Capitol, Conference Room 329  
415 South Beretania Street  
Honolulu, Hawaii 96813

**AGENDA**

- I. Call to Order – Chair
- II. Roll Call and Determination of a Quorum
- III. Approval of Minutes for meeting of September 23, 2011
- IV. Public Testimony – Any interested person may submit data, views or arguments on any agenda item
- V. Input from Advisory Councils - Discussion and action, if appropriate
- VI. Technical Committee's Revised Redistricting Plans – Deliberation and decision-making on the Revised Plans presented at the September 23, 2011 meeting
- VII. Executive Session  
Pursuant to HRS §92-5(a)(4) to consult with the Commission's attorney concerning the Commission's powers, duties, privileges, immunities and liabilities regarding population base, permanent residents and prior case law regarding reapportionment and redistricting
- VIII. Adjournment

THE COMMISSION MAY ELECT TO CONSULT WITH COUNSEL IN EXECUTIVE SESSION PURSUANT TO SECTION 92-5, HAW. REV. STAT. IF YOU REQUIRE SPECIAL ASSISTANCE OR AUXILARY AIDS AND/OR SERVICES TO PARTICIPATE IN THE PUBLIC HEARING PROCESS OF THE COMMISSION, PLEASE CONTACT THE OFFICE OF ELECTIONS AT LEAST 48 HOURS PRIOR TO THE HEARING SO ARRANGEMENTS CAN BE MADE. FOR FURTHER INFORMATION, PLEASE CALL THE OFFICE OF ELECTIONS AT 453-8683 OR 1-800-442-8683 FROM THE NEIGHBOR ISLANDS.

**STATE OF HAWAII  
2011 REAPPORTIONMENT COMMISSION**

**MINUTES OF THE REGULAR MEETING OF THE  
2011 REAPPORTIONMENT COMMISSION**

September 23, 2011  
2:00 pm

State Capitol, Room 329  
Honolulu, Hawaii 96813

**Commissioners Present:**

Victoria S. Marks, Chairperson  
Clarice Y. Hashimoto  
Elizabeth Moore  
Dylan Nonaka  
Lorrie Lee Stone  
Anthony P. Takitani  
Terry Thomason

**Technical Staff Present:**

Robyn Chun, Department of the Attorney General  
Judy Gold, Office of Elections  
Royce Jones, ESRI  
Caryn Moran, Office of Elections  
Scott Nago, Office of Elections  
Rex Quidilla, Office of Elections  
David Rosenbrock, Office of Elections  
Rhowell Ruiz, Office of Elections  
Aaron Schulaner, Office of Elections  
Russell Suzuki, Department of the Attorney General

**Observers Present:**

Julia Allen, Office of Senator Sam Slom  
Brenda Baker, Office of Senator Pohai Ryan  
Bart Dame  
Mike Dixon  
JoAnne Georgi, Kauai Advisory Council  
Senator Josh Green, State Senate  
Nanea Kalani, Civil Beat  
Nikki Love, Common Cause Hawaii

Shirley Magarifuji, County of Maui Office of Elections  
Paul J. Mattes, Citizens for Justice  
Ethann Oki, Office of Senator Malama Solomon  
Michael Palcic, Oahu Advisory Council  
Bill Quinlan  
B.J. Reyes, Star-Advertiser  
Representative Gil Riviere, State House  
Linda Smith, Oahu Advisory Council  
Tom Smyth, Military Officers Association of America  
Shannon Wood  
Lyndon Yoshioka, County of Kauai Office of Elections

**I. Call to Order**

Chairperson Marks called the meeting of the 2011 Reapportionment Commission to order at 2:05 pm.

**PROCEEDINGS**

**II. Roll Call and Determination of Quorum**

Roll call was taken and all Commissioners with the exception of Commissioners Chipchase, Masumoto, and Moore. Commissioner Moore arrived after the approval of the minutes.

**III. Approval of Minutes**

Chairperson Marks moved to approve the minutes of the September 19, 2011 meeting. Commissioner Thomason seconded the motion with no objection from the six commissioners present.

**IV. Public Testimony – Any interested person may submit data, views or arguments on any agenda item**

Mr. Dixon testified that he has been a North Shore resident since 1979 and urged the Commission to keep Sunset Beach together with other North Shore communities. He stated that the entire area was threatened with development and the North Shore needs to be cohesive and speak as one community. He stated that he wants Sunset Beach to remain in District 46.

Mr. Mattes testified that the reapportionment process should respect citizens' First Amendment rights and that all documents involved in zoning issues should be transferred when new representatives are elected.

Oahu Advisory Council Chairman Palcic urged the Commission to adjust the boundary between Senate Districts 9 and 10 to keep St. Louis Heights in the same district as Kaimuki, Palolo, and Maunalani Heights. He stated that these communities are in the same House district but that St. Louis Heights was put into a Senate district with Manoa, which traditionally had never been in the same district. He submitted a map to show how extending the District 10 boundary to Kapahulu Avenue would allow St. Louis Heights to be returned to District 9, adding that he had also submitted a proposed map through the mapping website.

Ms. Wood stated that her House and Senate districts both would change as shown on the reapportionment plan and that she understood why these changes were needed. She said she would try to get the Legislature to work on clarifying the population count for reapportionment.

Mr. Dame stated he would like to resubmit the testimony he offered at the September 19, 2011 meeting. He stated his position was accurately recorded in the minutes as approved and that his objections were not addressed. He stated he was a longtime resident of Palolo and agreed with Mr. Palcic that St. Louis Heights should continue to be in the same Senate district as Palolo and Kaimuki.

Representative Riviere presented a petition, signed by community members, to keep Sunset Beach and the North Shore together. The petition was included in meeting materials posted on the Reapportionment website.

Chairperson Marks noted the arrival of Commissioner Moore.

#### **V. Input from Advisory Councils – Discussion and action, if appropriate**

Oahu Advisory Council Chairmen Palcic reported that the Council would hold a meeting on September 29, 2011 to prepare recommendations for submission to the Reapportionment Commission for their Final Report to the Legislature. He stated the lack of a clear definition of permanent residents was a significant stumbling block and that the issue should be addressed by the Legislature. He said he felt the Technical Committee meetings should have been open for others to view their progress in developing the plan.

Kauai Advisory Council Member Georgi requested that the Commission approve the boundaries as submitted by the Council. She stated that she was against including military members in the population base and that Kauai should have two senators in accordance with the Hawaii Constitution.

Minutes of Oahu and Hawaii Island Advisory Councils August meetings were included meeting materials posted on the Reapportionment website.

**VI. Technical Committee Presentation of Revised Redistricting Plan(s) – Presentation of findings and recommendation of the Technical Committee – Discussion and appropriate action, if any**

Commissioner Nonaka thanked the public, the staff, and Technical Committee members for their participation in the reapportionment process. He stated that the Committee worked very collaboratively and made significant compromises. He recognized that no plan could be perfect, but the Committee did its best to make a plan fit the constraints in the process and keep communities together. He said he believes all the Technical Committee members felt positive about the plan and that the maps developed were now online and would be printed in time for the next meeting.

Project Manager Rosenbrock stated all maps would be online on Monday, September 26 by approximately 10:30 am.

Mr. Jones gave a presentation on Technical Committee procedures following the Commission's decision on September 19, 2011 to adjust the census population by extracting 16,548 persons. He displayed other slides, including the method of equal proportions used to determine the number of seats per basic island unit, as required by the Hawaii Constitution, and briefly outlined adjustments made to the proposed plans approved by the Commission on August 5, 2011. He stated that work was completed on all districts but, due to time constraints, only summaries of the plans were available at this time. The Technical Committee presentation was posted on the Reapportionment website.

Mr. Jones provided the Commission with a summary of changes to the maps, by the Technical Committee, after the public hearings.

Chairperson Marks clarified that for the most part, changes that may have caused an increase in deviation were made to more evenly align with geographical or manmade features and to keep communities together, for example, keeping Kuhio Park Terrace in the same district. Mr. Jones agreed, noting the example of Kapolei Knolls, which appeared in his previous presentation to demonstrate options for changing the plan, was adjusted as requested in testimony by community members at the first public hearing. Chairperson Marks commented the deviations could have been smaller, but that would have meant ignoring community concerns.



Commissioner Hashimoto also thanked the technical staff for extensive efforts, noting the Technical Committee had met all week until noon that day. She stated that maps were not completed in time for the meeting due to additional work required by the population adjustment. She also expressed thanks to the public for participating in the process and noted that the Technical Committee was able to accommodate many of the requests to adjust boundaries.

Commissioner Takitani asked if it were possible to return St. Louis Heights to Senate District 9 as proposed by Oahu Advisory Council Chairman Palcic. Commission Stone, who serves on the Technical Committee, stated it was not possible to tell without checking the changes with the redistricting software. Oahu Advisory Chairman Palcic asked if the plan could be amended once it came forward for adoption and stated he had not heard any objections to his proposal. Chairperson Marks stated it would depend on Chapter 92 of Hawaii Revised Statutes and that the Commission would not debate the proposal at this time. Commissioner Moore requested that the Commission discuss the matter further with legal counsel.

#### **IX. Executive Session**

Chairperson Marks moved that the Commission go into executive session to consult with its attorney. Commissioner Thomason seconded the motion with no objections from the seven commissioners present.

The Commission went into executive session at 2:41 pm.

#### **Reconvene of Meeting**

The Commission returned at 3:26 pm. Chairperson Marks moved to go into regular session. Commissioner Nonaka seconded the motion with no objections from the seven commissioners present.

Chairperson Marks moved that all reports prepared by Commission staff including those pertaining to the military, the Kansas extraction system, ESRI reports, and all other reports by the staff, be made available to the public and be made part of the Final Report of the Commission. Commissioner Hashimoto seconded the motion with no objection from the seven commissioners present.

Commissioner Nonaka stated on behalf of the Technical Committee that the Committee was formally presenting its findings and recommendations to the Commission for adoption at the September 26, 2011 meeting. In response to Chairperson Marks' inquiry, Project Manager Rosenbrock confirmed that all elements of the plan should be online by Monday morning, September 26, 2011,

including maps, metes and bounds, and descriptions. Commissioner Nonaka noted that all maps were already available online on the mapping website using a login and password. Chairperson Marks added that a nine-page summary was available for the meeting and Project Manager Rosenbrock emphasized that maps showing more detail were online. The summary was included in meeting materials posted on the Reapportionment website.

Chairperson Marks moved that the staff complete work on plans using Extraction B described in previous meetings and other extraction options to formulate potential alternative plans to be included in the Commission's Final Report. Chairperson Marks stated these plans would be included in the Final Report in the event the Commission's plan was deemed invalid and could provide an alternative to the Court appointing a Master. Commissioner Hashimoto seconded the motion with no objections by the seven members present.

Chairperson Marks also extended her thank you to the technical staff and members for their work on reapportionment.

**X. Schedule future meeting dates**

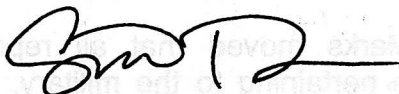
The next meeting of the Commission will be held on Monday, September 26, 2011 at 2:00 pm in Room 329.

**XI. Adjournment**

Chairperson Marks moved that the meeting be adjourned. Commissioner Nonaka seconded the motion with no objections from the eight commissioners present.

There being no further business, the meeting was adjourned at 3:38 pm.

Respectfully submitted,



Scott T. Nago  
Chief Election Officer  
Secretary to the Reapportionment Commission

At the September 26, 2011 meeting, the 2011 Reapportionment Commission approved the 2011 Legislative Reapportionment Plan.

Visit the Reapportionment website to view:

The 2011 Legislative Reapportionment Plan  
[http://hawaii.gov/elections/reapportionment/2011 legislative plan](http://hawaii.gov/elections/reapportionment/2011_legislative_plan)

Overview and Staggering of Senate Terms  
<http://hawaii.gov/elections/reapportionment/2011/documents/TechCommOverview9.26.11.pdf>